


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:95-CR-41-8H

BARKLEY GARDNER,	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>ORDER</b>
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

This matter is before the court on petitioner's motion for leave to amend his Rule 60(b) motions, the present motion having been filed on June 11, 2012. The motions which petitioner seeks to amend were denied on June 8, 2012, prior to the instant motion having been filed. Moreover, the court finds that amendment would be futile. Accordingly, petitioner's motion for leave to amend [DE #754] is DENIED.

This 14th day of June 2012.

  
\_\_\_\_\_  
MALCOLM J. HOWARD  
Senior United States District Judge

At Greenville, NC  
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